

and a second image component which displays non-basic image features which appear superimposed on the first image component and are additional to the basic game features, the second image component being transparent, whereby the first image component is visible through the second image component under the control of the control means, and wherein the second image is animated.

REMARKS

I. THE § 112 REJECTION SHOULD BE WITHDRAWN

The Examiner has rejected claims 16 to 31, asserting that the phrase “variably transparent” is unclear. However, claims 16 to 31 clearly convey to one skilled in the art the subject matter which the applicant regards as the invention. In particular, the term “variably” is not an indefinite term here at all because it precisely defines the feature of the invention which is being introduced, namely a transparent overlaid graphical feature in which the transparency may be varied. Claim 17, for instance, provides further precise definition of the nature of this feature.

Further, the term “transparent” in a dictionary means, “having the property of transmitting rays of light through its substance so that bodies situated beyond or behind can be distinctly seen”. The use of this term particularly points out and distinctly claims the subject matter of the invention, given the context of a gaming console having display means, and with particular reference to a “second image component” displaying image features which are superimposed over gaming features.

II. THE OBVIOUSNESS REJECTION OVER INOUE SHOULD BE WITHDRAWN

The Examiner has rejected claims 1 to 12 and 16 to 28 as being anticipated and/or rendered obvious in light of Inoue. As there are two patents to Inoue cited, namely U.S. Patent No. 5,752,881 (Inoue II) and US 5,395,111 (Inoue I), we consider that the more pertinent of the two documents is Inoue I and we therefore assume that Items 3 to 5 of the Office Action relate to

this document. Inoue I discloses a spinning reel style gaming machine having coaxial inner and outer reels.

The outer reel is transparent, allowing the gaming symbols of the inner reel to be seen through the outer reel, and therefore allowing a wide range of “combination” symbols to be formed. A primary distinction between Inoue I and the present invention is that the transparent symbols of this document (i.e. the symbols of the outer reel), are a part of the basic game taking place on the machine and are not “superimposed” over the basic game. Therefore, Inoue I neither discloses nor suggests a “second image component which displays non-basic game feature.” The amendments to claims 1 and 16 clarify this distinction over Inoue I. As the transparent symbols of the outer reel of Inoue I are an integral part of the basic game, it is clear that Inoue I neither discloses nor suggests “superimposed” transparent non-basic symbols which can appear before or after play of a game, nor is there any disclosure of “superimposed” transparent symbols which appear under the control of control means in order to indicate pertinent features of a game, such features potentially arising anywhere in the game display area.

Inoue II relates to a spinning reel type game, having an outer reel presenting gaming symbols to the user, and a patterned or coloured inner reel visible through transparent portions of the outer reel. Inoue II provides no suggestion or disclosure that the inner reel adds any functionality to play of the game. Rather, the inner reel is merely coloured or patterned (for example, see column 2, line 28 and column 3, line 13). Accordingly, the present invention is easily distinguishable also over Inoue II and requires that game play features and symbols are presented on the “background”, and that bonus features or messages to the player or the like may be transparently displayed over gaming features and symbols without need for any of the game play features or symbols to be obscured. Inoue II neither discloses nor suggests any added functionality of this type in the use of transparent portions of the outer reel.

III. THE OBVIOUSNESS OBJECTION OVER BENNETT SHOULD BE WITHDRAWN

The Examiner has rejected claims 13, 29 and 32 to 47 as obvious over Inoue in view of US 6,089,977 (Bennett). In this regard, we note that Bennett has merely been cited for obviousness purposes against some of the more minor dependent claims, and against independent claim 32. Bennett merely provides disclosure of an animated wild card invoked when a special triggering combination of symbols occurs. Accordingly, on the basis that the above arguments and the amendments, to claims 1, 16 and 32, the claims are clearly allowable over Inoue and Bennett.

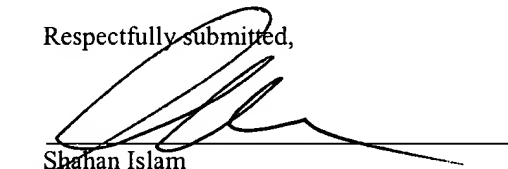
IV. THE OBVIOUSNESS REJECTION OVER INOUE
IN VIEW OF OKADA SHOULD BE WITHDRAWN

The Examiner rejects claims 14, 15, 30, 31, 48 and 49 as being obvious over Inoue in view of US 4,718,672 (Okada). Again, Okada is merely used for obviousness rejections against some of the more minor dependent claims. Also, the portion of Okada cited by the Examiner (column 5, lines 55-65), appears not to disclose the features discussed by the Examiner.

CONCLUSION

In view of the above it is respectfully requested that the application be allowed. Should the examiner feel that a conference would help bring the case to allowance on if any question arises, the undersigned may be contacted.

Respectfully submitted,



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APPENDIX – CLAIMS IN MARKED UP FORM

1. (amended) A gaming console having display means, and game control means arranged to control images displayed on the display means, the game control means being arranged to play a game wherein a plurality of symbols are randomly selected and displayed on the display means and, if a winning combination results, the console pays a prize, the game being characterised in that the displayed images include a first image component which displays basic game features and a second image component which displays non-basic image features which appear superimposed on the first image component and are additional to the basic game features, the second image component being transparent, whereby the first image component is visible through the second image component under the control of the control means.

16. (amendment) A gaming console having display means, and game control means arranged to control images displayed on the display means, the game control means being arranged to play a game wherein a plurality of symbols are randomly selected and displayed on the display means and, if a winning combination results, the console pays a prize, the game being characterised in that the displayed images include a first image component which displays basic game features and a second image component which displays non-basic image features which appear superimposed on the first image component and are additional to the basic game features, the second image component being transparent, whereby the first image component is visible through the second image component under the control of the control means, and wherein the second image is variably transparent.

32. (amendment) A gaming console having display means, and game control means arranged to control images displayed on the display means, the game control means being arranged to play a game wherein a plurality of symbols are randomly selected and displayed on the display means and, if a winning combination results, the console pays a prize, the game being

characterised in that the displayed images include a first image component which displays basic game features and a second image component which displays non-basic image features which appear superimposed on the first image component and are additional to the basic game features, the second image component being transparent, whereby the first image component is visible through the second image component under the control of the control means, and wherein the second image is animated.